

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chair Ken Peterson, on January 24, 2011 at 9:00 A.M., in Room 137  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Ken Peterson, Chairman (R)  
Rep. Krayton Kerns, Vice Chairman (R)  
Rep. Diane Sands, Vice Chairman (D)  
Rep. Liz Bangerter (R)  
Rep. Robyn Driscoll (D)  
Rep. Bill Harris (R)  
Rep. Ellie Boldman Hill (D)  
Rep. David Howard (R)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. Mike Menahan (D)  
Rep. Michael (Mike) More (R)  
Rep. Jesse O'Hara (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Joe Read (R)  
Rep. Keith Regier (R)  
Rep. Dan Skattum (R)  
Rep. Bob Wagner (R)  
Rep. Wendy Warburton (R)

**Members Excused:** Rep. Cleve J. Loney (R)

**Members Absent:** Rep. Kris Hansen (R)

**Staff Present:** Karen Armstrong, Committee Secretary  
David Niss, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing &amp; Date Posted: HB 281, 1/20/2011

**HEARING ON HB 281****Opening Statement by Sponsor:**

00:02:19 Rep. Betsy Hands (D), HD 99, opened the hearing on HB 281, Revise laws relating to guardians ad litem.

[EXHIBIT\(juh18a01\)](#)

[EXHIBIT\(juh18a02\)](#)

00:03:34 Rep. Hansen entered.

**Proponents' Testimony:**

00:13:27 Robert Deschamps, Judge, 4th Judicial District

00:18:03 Diana Garrett, Montana Legal Services, Missoula, Montana

[EXHIBIT\(juh18a03\)](#)

00:21:26 Cheryl Wolfe, self

[EXHIBIT\(juh18a04\)](#)

00:25:28 Sara Rossi, Montana Coalition Against Domestic and Sexual Violence

00:27:16 Henry Dykstra, self

[EXHIBIT\(juh18a05\)](#)

00:31:33 Dr. Chris Hahn, Parenting Coordinator and Mediator

[EXHIBIT\(juh18a06\)](#)

00:35:24 Rep. Hansen exited.

00:37:29 Danielle Wozniak, Professor of Social Work, University of Montana

[EXHIBIT\(juh18a07\)](#)

00:37:36 Rep. Howard exited.

00:41:19 Ellie Martin, Graduate student, Social Work Program, University of Montana

[EXHIBIT\(juh18a08\)](#)

00:42:42 Rep. O'Hara exited.

00:44:15 Mary Monroe, self

00:44:56 Deborah Eckheart, Graduate Student, Social Work Program, University of Montana

[EXHIBIT\(juh18a09\)](#)

00:50:26 Rep. O'Hara returned.

00:50 58 Sherry Gay, self, Missoula

[EXHIBIT\(juh18a10\)](#)

00:53:43 Melanie Rauch, Graduate Student, University of Montana Social Work Program

[EXHIBIT\(juh18a11\)](#)

00:54:26 Rep. Hansen returned.

00:57:02 Steve Knight, Licensed Clinical Social Worker, self

00:58:44 Shannon Amour, self

[EXHIBIT\(juh18a12\)](#)

01:01:31 Marie Dykstra, self, Thompson Falls

[EXHIBIT\(juh18a13\)](#)

01:05:13 Katie Boyd, Graduate Student, Social Work Program, University of Montana reading a letter from Allysa Hollenback

[EXHIBIT\(juh18a14\)](#)

01:09:01 Tyrell Whipple, self  
01:09:13 Caryl Wickes-Connick, self  
[EXHIBIT\(juh18a15\)](#)  
01:09:35 Chris Schermele Lane, self  
[EXHIBIT\(juh18a16\)](#)  
01:09:48 Marilyn Kriechbaum, self  
[EXHIBIT\(juh18a17\)](#)  
01:09:52 Emily McKey, self  
[EXHIBIT\(juh18a18\)](#)  
01:10:06 Christina Hill, self  
[EXHIBIT\(juh18a19\)](#)  
01:10:18 Lisa Thomas, self  
[EXHIBIT\(juh18a20\)](#)  
01:10:30 Michael Hand, self  
01:10:45 Anita Roessmann, Disability Rights Montana  
01:11:00 Lorne Murphy, self

**Opponents' Testimony:**

01:11:15 John Larson, District Judge, Missoula and Superior, Montana Judges' Association  
[EXHIBIT\(juh18a21\)](#)  
01:22:57 Rep. More exited.  
01:25:18 Bruce Spencer, State Bar Association of Montana  
01:26:28 Rep. Howard returned.  
01:26:44 Kathy Seeley, District Judge, First Judicial District and Montana Judicial Association  
01:28:10 Dorothy McCarter, District Judge, First Judicial District, Helena  
01:31:02 Rep. Loney entered.  
01:31:32 Jacqueline Lenmark, American Insurance Association  
01:33:30 Rep. More returned.  
01:41:04 Mars Scott, Family Law Attorney, Missoula  
01:45:15 Rep. O'Hara exited.  
01:45:48 Rep. Sands exited.

**Informational Testimony:** None**Questions from Committee Members and Responses:**

01:48:11 Rep. Hill  
01:48:51 Rep. Sands returned.  
01:49:16 Judge Deschamps  
01:50:40 Rep. O'Hara returned.  
01:51:08 Rep. Sands  
01:52:48 Judge Larson  
01:54:10 Rep. Sands  
01:54:42 Judge Larson  
01:55:18 Rep. Sands  
01:55:47 Judge Deschamps  
01:58:40 Rep. Hansen  
01:58:49 Rep. Hands  
02:00:27 Rep. Wagner

02:01:55 Rep. Hands  
02:02:39 Rep. Wagner  
02:03:18 Rep. Hands  
02:04:12 Rep. Wagner  
02:05:11 Rep. Menahan  
02:05:55 Rep. Hands  
02:06:52 Chairman Peterson  
02:07:24 Judge Deschamps  
02:07:29 Chairman Peterson  
02:07:36 Judge Deschamps  
02:08:09 Chairman Peterson  
02:09:06 Judge Deschamps  
02:09:30 Rep. Harris  
02:11:19 Judge Deschamps  
02:13:36 Rep. Harris  
02:13:46 Chairman Peterson  
02:13:57 Rep. Hands

**Closing by Sponsor:**

02:14:42 Rep. Hands

[EXHIBIT\(juh18a22\)](#)

[EXHIBIT\(juh18a23\)](#)

02:23:44 Chairman Peterson  
02:23:49 Rep. Hands  
02:24:16 Chairman Peterson  
02:24:36 Rep. Hands  
02:24:44 Chairman Peterson  
02:24:51 Rep. Hands  
02:32:54 Chairman Peterson  
02:33:02 Rep. Regier  
02:33:23 Mr. Niss  
02:34:12 Chairman Peterson

**ADJOURNMENT**

02:34:12      Adjournment: 11:52 am

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Karen Armstrong, Secretary

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Additional Exhibits:

**[EXHIBIT\(juh18a24\)](#)**

**[EXHIBIT\(juh18a25\)](#)**

Additional Documents:

**[EXHIBIT\(juh18aad.pdf\)](#)**